

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT  
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

**Directions:** Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

<b>Appeal No. &amp; Caption</b>	No. 15-2056 G.G. v. Gloucester County School Board
<b>Originating No. &amp; Caption</b>	4:15-cv-00054 G.G. v. Gloucester County School Board
<b>Originating Court/Agency</b>	U.S. District Court, Eastern District of Virginia

<b>Jurisdiction</b> (answer any that apply)		
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. § 1292(a)(1)	
Time allowed for filing in Court of Appeals	30 days	
Date of entry of order or judgment appealed	September 4, 2015	
Date notice of appeal or petition for review filed	September 8, 2015	
If cross appeal, date first appeal filed		
Date of filing any post-judgment motion		
Date order entered disposing of any post-judgment motion		
Date of filing any motion to extend appeal period		
Time for filing appeal extended to		
Is appeal from final judgment or order?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If appeal is not from final judgment, why is order appealable? The order is a denial of a preliminary injunction and is therefore appealable under 28 U.S.C. § 1292(a)(1).		

<b>Settlement</b> (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-521-4022.)		
Is settlement being discussed?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

<b>Transcript</b> (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Has transcript been filed in district court?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

<b>Case Handling Requirements</b> (answer any that apply)		
Case number of any prior appeal in same case		
Case number of any pending appeal in same case		
Identification of any case pending in this Court or Supreme Court raising similar issue	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	If yes, motion to expedite must be filed.	
Is oral argument necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.	

<b>Nature of Case</b> (Nature of case and disposition below. Attach additional page if necessary.)
<p>Plaintiff G.G., a transgender boy attending public high school in Gloucester County, Virginia, challenges a Gloucester County School Board policy limiting use of the boys' and girls' restrooms to students of the corresponding "biological gender." G.G. seeks a declaration that the policy as applied to him violates Title IX of the Education Amendments of 1972 and the Equal Protection Clause of the Fourteenth Amendment, and injunction requiring the defendant to allow him to resume his use of the boys' restroom at school.</p> <p>Plaintiff filed a Motion for Preliminary Injunction, requesting an order requiring the Defendant to allow him to use the boys' restroom during the pendency of this lawsuit. The United States Department of Justice filed a Statement of Interest in support of the Motion for Preliminary Injunction. On September 4, 2015, the District Court denied the Motion. Plaintiff appeals from that order.</p>

**Issues** (Non-binding statement of issues on appeal. Attach additional page if necessary)

1. Whether the District Court erred in denying Plaintiff's Motion for Preliminary Injunction based on Title IX of the Education Amendments of 1972.

2. Whether the District Court erred in denying Plaintiff's Motion for Preliminary Injunction based on the Equal Protection Clause of the Fourteenth Amendment.

**Adverse Parties** (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: Gloucester County School Board

Attorney: David P. Corrigan

Address: Harman, Claytor, Corrigan & Wellman  
P.O. Box 70280  
Richmond, VA 23255

E-mail: dcorrigan@hccw.com

Phone: 804-747-5200

Adverse Party:

Attorney:

Address:

E-mail:

Phone:

**Adverse Parties (continued)**

Adverse Party:

Attorney:

Address:

E-mail:

Phone:

Adverse Party:

Attorney:

Address:

E-mail:

Phone:

<b>Appellant</b> (Attach additional page if necessary.)	
Name: G.G., by his next friend and mother, Deirdre Grimm  Attorney: Joshua A. Block Address: American Civil Liberties Union Foundation 125 Broad Street, 18th Floor New York, New York 10004  E-mail: jblock@aclu.org  Phone: (212) 549-2500	Name:   Attorney: Gail Deady Address: American Civil Liberties Union Foundation of Virginia, Inc. 701 E. Franklin Street, Suite 1412 Richmond, Virginia 23219  E-mail: gdeady@acluva.org  Phone: (804) 644-8080
<b>Appellant (continued)</b>	
Name:   Attorney: Rebecca K. Glenberg Address: American Civil Liberties Union Foundation of Virginia, Inc. 701 E. Franklin Street, Suite 1412 Richmond, Virginia 23219  E-mail: rglenberg@acluva.org  Phone: (804) 644-8080	Name:   Attorney: Address:   E-mail:  Phone:
<b>Signature:</b> <u>/s/ Rebecca K. Glenberg</u> <b>Date:</b> <u>9/10/2015</u>  <b>Counsel for:</b> <u>Appellant G.G.</u>	
<b>Certificate of Service:</b> I certify that on <u>9/10/2015</u> the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below (Attach additional page if necessary):	
Clare Patricia Wuerker OFFICE OF THE UNITED STATES ATTORNEY Suite 8000 8000 World Trade Center 101 West Main Street Norfolk, VA 23510-1624	Victoria Lill U. S. DEPARTMENT OF JUSTICE Educational Opportun 950 Pennsylvania Avenue, NW Washington, DC 20530
Signature: <u>/s/ Rebecca K. Glenberg</u>	Date: <u>9/10/2015</u>